

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, July 14, 2005

PRESENT: Commissioners Bob Roos, Sarah Christie, Penny Rappa, Chairperson Doreen Liberto-Blanck

ABSENT: Commissioner Eugene Mehlschau

RESOLUTION NO. 2005-025
RESOLUTION RELATIVE TO THE GRANTING
OF A CONDITIONAL USE PERMIT

WHEREAS, the County Planning Commission of the County of San Luis Obispo, State of California, did, on the 14th day of July, 2005, grant a Vesting Tentative Tract Map/Conditional Use Permit to DENIS SULLIVAN/CYPRESS RIDGE LIMITED PARTNERS to (1) subdivide eight existing lots (totaling approximately 10.1 acres) into 10 parcels ranging from 0.35 acres to 4.7 acres each for the purpose of sale and or development; (2) allow for the following uses within this 10.1 acre area: construction of 81 individually-owned lodging units (one- and two-story, one- and two-bedroom units [totaling 149 bedrooms]); lodging occupancy shall be limited to no more than 29 days for non-owners and 84 days for unit owners; a 200-seat restaurant; a pro shop and clubhouse (replaces existing facility); conference rooms (totaling 3,408 sq. ft); and (3) reduce parking requirements by approximately 17% to provide for 260 parking spaces; and (4) to reduce setback requirements allowed for planned developments in the Recreation land use category. The project is located in the county at 950 Cypress Ridge Parkway, approximately 2,000 feet south of Halcyon Road, in the village of Palo Mesa on the Nipomo Mesa, in the South County (Inland) planning area. APN's: 075-400-001, 075-401-002, -003, -004, in the South County (Inland) Planning Area. County File Number: SUB2003-00208/Tract 2641 D000391D. Supervisorial District #4.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit based on the Findings listed in Exhibit A.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 14th day of July, 2005, does hereby grant the aforesaid Permit, SUB2003-00208 (TRACT 2641)/Tract 2641 D000391D.

An approved or conditionally approved tentative tract map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative tract map shall terminate all proceedings, and no tract map of all or any portion of the real property included within such tentative tract shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative map, the Planning Commission may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance (Section 21.06.010).

On motion of Commissioner Rappa, seconded by Commissioner Roos and on the following roll call vote, to-wit:

AYES: Commissioners Rappa, Roos, Chairperson Liberto-Blanck

NOES: Commissioner Christie

ABSENT: Commissioner Mehschau

the foregoing resolution is hereby adopted.

/s/ Doreen Liberto-Blanck
Chairperson of the Planning Commission

ATTEST:

/s/ Lona Franklin
Secretary, Planning Commission

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 20, 2005 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, noise, population/housing, public services, transportation, wastewater and water, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Recreation land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of a pro shop, 81-unit resort and restaurant.
- F. The site is physically suitable for the proposed density of the development proposed because the site and existing infrastructure can adequately support a 200-seat restaurant, an 81-unit resort with conference rooms, and replacement of the existing pro shop.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because of its proximity away from sensitive resources and the use of non-invasive landscape vegetation.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.
- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because existing vegetation is not native to this part of the county, and the proposed landscaping includes greater numbers of more comparable native vegetation.

- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because the drainage will be directed to existing detention basins that have been sized to handle the additional surface runoff.

Conditional Use Permit

- L. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and, as conditioned, is consistent with all of the General Plan policies.
- M. As conditioned, the proposed project satisfies all applicable provisions of Title 22 of the County Code.
- N. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the resort and restaurant do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- O. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the resort and restaurant will not conflict with the surrounding lands and uses.
- P. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project will be subject to both cumulative and project area traffic fees to provide for major road operations to remain at acceptable levels of service.
- Q. The proposed project will not reduce the availability of accommodations for overnight or transient occupancy by the general public, tourists and visitors compared to a conventional hotel or motel.
- R. Shared peak-hour parking is appropriate because the proposed uses have distinct and differing peak traffic usage periods and the most remote space in the parking lots is located no more than 300 feet from the pedestrian entrance to each use that the parking spaces serve. The total number of spaces, which is 260, is no less than the number of spaces for the single use which is required to provide the most parking which is 130 (golf course & driving range).
- S. Adjustment of parking standards (Sec. 22.18.020(D), required by Land Use Ordinance Section 22.18.050, is justified because the characteristics of the use or its immediate vicinity do not necessitate the full number of parking spaces due to the overlap of proposed uses; and reduced parking will be adequate to accommodate on the site all parking needs generated by the uses; and no traffic problems will result from the proposed modification of parking standards.
- T. Adjustment of the landscape standards in Land Use Ordinance Chapter 22.16 to use up to 20% of plant material not from the county's plant list is justified because water

conservation techniques will be required to create a water efficient landscape, and none of the allowed plants will be considered invasive or problematic, as specified on the County's prohibited list, USDA's state noxious weed list or from the California Invasive Plant Council's Lists A and B.

CONDITIONS - EXHIBIT B (Conditional Use Permit)

Approved Development

1. This approval authorizes:
 - a. the following uses within a 10.1 acre area in the Recreation category: construction of 81 individually-owned lodging units (one- and two-story, one- and two-bedroom units [totaling 149 bedrooms]); lodging occupancy shall be limited to no more than 29 days for non-owners and 84 days for unit owners; a 200-seat restaurant; a pro shop and clubhouse (replaces existing facility); conference rooms (totaling 3,408 sq. ft);
 - b. reduction in parking requirements by approximately 17% to provide for 260 parking spaces;
 - c. reduction of setback requirements allowed for planned developments; and
 - d. maximum height of 35 feet from average natural grade.
2. Setbacks for the proposed development are as follows: Zero lot-line shall be allowed for each parcel, as long as UBC requirements are followed, with the following exceptions:
 - a. Lots fronting Cypress Ridge Parkway (#1 & 2), Brant Street (#5), and Tattler Street (#10) shall provide a 25-foot building setback from edge of road (Tattler and Brant Streets).
 - b. Lots #5 and #10 shall apply the standard rear setback in Recreation as the are adjacent to a residential category, which shall be 15 feet plus one foot for every three feet of lodge building height over 12 feet.
3. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Landscape Plans

4. All approved landscaping for proposed development shall be installed **prior to final inspection**, and thereafter maintained in a viable condition on a continuing basis.

Aesthetics

5. **At the time of application for construction permits**, submit a revised site plan and architectural elevations to detail exterior finish materials, colors, and height above finish grade on all sides of proposed buildings, and landscape plan to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. color board showing colors and materials approved during conditional use permit review;
 - b. well articulated structures as provided in elevations submitted during conditional use permit review;
 - c. landscape plans that reflect approved conceptual plans that meet other conditions of approval.
6. **At the time of application for construction permits**, the applicant shall submit final landscape plans to the Department of Planning and Building for review and approval. The "perimeter" planting shall include a range of plant types that are primarily fast-growing, evergreen, drought-tolerant, considered low-water users and non-invasive.
7. The final landscape plan shall use at least 80% of plants listed in the County-Approved Landscape Plant list. The remaining 20% of plants used shall have low water requirements and be drought tolerant. Plants shall be grouped with similar water requirements. All applicable components of the County's Landscape Ordinance (Chapter 22.16) shall be applied.

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8. To reduce potential invasive plant problems to Black Lake Slough and adjacent agriculture, no landscape plants shall be used that are found on: the County's prohibited plant list, USDA's State List of Noxious Weeds or California Invasive Plant Council's "Invasive Plant Lists A & B".
9. **Prior to final inspection**, the applicant shall install landscape consistent with the approved final landscape plans.
10. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting. The details shall include the height, location, and intensity of all exterior lighting consistent with County LUO Section 22.10.060; additionally, all lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
11. The project shall adhere to the County Ordinance requirements for Fencing and Screening of the resort from the existing residential development on lots 223 and 232. This shall include, at a minimum, the installation of an attractive wooden fence at least five feet in height. Final design shall be approved **prior to construction permit issuance**.
12. Signage design shall adhere to the conceptual design submitted, reviewed and approved as a part of the conditional use permit submittal, and shall not exceed 560 square feet. Final design shall be approved **prior to construction permit issuance**.
13. **Prior to issuance of permanent sign construction permits for the project**, the applicant shall submit to the Department of Planning and Building for review and approval a final signage program for project to included specifications for height limits, style and lighting method. All signs for individual uses shall be determined to be consistent with the sign program.

Air Quality

14. **At the time of application for construction permits**, the plans shall show connection of interior roads/cul-de-sacs with multi-use paths to improve pedestrian, bicycle and golf cart access to adjacent neighborhoods, the village center, the golf center and parks.
15. Based on Table 6-3 of the APCD's 2003 CEQA Handbook, the estimated construction emissions for the project will exceed the thresholds requiring mitigation. Based on the letter received from APCD, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans **upon submittal of construction permits**:

Construction Equipment

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines;

CBACT

- d. Install diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other District approved emission reduction retrofit devices (determination of the appropriate CBACT control device(s) for the project must be performed in consultation with APCD staff).

Additional Construction Equipment Measures

- e. Electrify equipment where feasible;

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- f. Substitute gasoline-powered for diesel-powered equipment, where feasible;
- g. Use alternatively fueled construction equipment on site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel;
- h. Use equipment that has Caterpillar pre-chamber diesel engines;
- i. Implement activity management techniques as follows:
 - i. Develop of a comprehensive construction activity management plan designed to minimize the amount of large construction equipment operating during any given time period;
 - ii. Schedule of construction truck trips during non-peak hours to reduce peak hour emissions;
 - iii. Limit the length of the construction work-day period, if necessary;
 - iv. Phase construction activities, if appropriate.

Fugitive PM₁₀ Mitigation Measures (All required PM₁₀ measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD **prior to issuance of construction permits**).

- j. Reduce the amount of the disturbed area where possible;
- k. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
- l. All dirt stock-pile areas should be sprayed daily as needed;
- m. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- n. Exposed ground areas that are planned to be reworked at dates greater than 21 days after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
- o. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- p. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- q. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- r. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

16. Based on APCD's 2003 CEQA Handbook (based on the latest URBEMIS (air quality) modeling), the proposed project will generate between 10 - 24.99 lbs/day of one or more of the following pollutants: ROG, NO_x, SO₂, PM₁₀; the project will need to include the following measures and be shown on all applicable plans **prior to construction permit issuance**:

- a. *Standard Site Design and Energy Efficiency Measures (for commercial projects generating more than 10lbs./day of air pollutant)*
 1. Provide on-site bicycle parking (one bicycle parking space for every ten car parking spaces); for the approximate 209 spaces proposed, at least 21 bicycle spaces shall be installed.
 2. Provide on-site eating, refrigeration and food vending facilities to reduce lunchtime trips;
 3. Provide preferential employee carpool and vanpool parking;
 4. Provide shower and locker facilities to encourage employees to bike and/or walk to work (one shower and three lockers for every 25 employees);
 5. Increase building energy efficiency rating by 10% above what is required by Title 24 requirements (this can be accomplished in a number of ways, such as, increasing attic, wall or floor insulation, etc.).
- b. *Based on APCD's estimated pollutant generation, ten additional measures from the following list shall be applied to the proposed project (selections to be shown on all applicable construction plans):*
 1. Increase street tree planting above required minimum;
 2. Plant shade trees in parking lots to reduce evaporative emissions from parked vehicles;
 3. Install an electrical vehicle charging station with both conductive and inductive charging capabilities;
 4. Provide on-site banking (ATM) and postal services;
 5. Provide an on-site child care facility;
 6. Increase number of bicycle routes/lanes;
 7. Provide on-site housing for employees;
 8. If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to project or improve transit stop amenities;
 9. Implement on-site circulation design elements in parking lots to reduce vehicle queuing and emphasize the pedestrian environment;
 10. Provide pedestrian signalization and signage to improve pedestrian safety;
 11. Employ or appoint an Employee Transportation Coordinator (to be used when at least two alternative travel modes requiring coordination are selected);
 12. Implement a Transportation Choices Program. The applicant will work with the Transportation Choices Coalition partners on how to start and maintain a program (contact SLO Regional Rideshare at 805/541-2277);
 13. Provide for shuttle/mini bus service;
 14. Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc.;
 15. Implement compressed work schedules;
 16. Implement telecommuting program;
 17. Implement a lunchtime shuttle to reduce single occupant vehicle trips;
 18. Participate in an employee "flash-pass" program, which provides free travel on transit buses;
 19. Include teleconferencing capabilities, such as web cams or satellite linkage, which will allow employees to attend meetings remotely without requiring them to travel out of the area;
 20. If the development is a grocery store or large retail facility, provide home delivery service for customers;
 21. Install shade trees planted closely along southern exposures of buildings to reduce summer cooling needs;
 22. Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs;

23. Use built-in energy efficient appliances, where applicable;
24. Use double-paned windows;
25. Use low energy parking lot and street lights (i.e. sodium);
26. Use energy efficient interior lighting;
27. Use low energy traffic signals (i.e. light emitting diode);
28. Install door sweeps and weather stripping if more efficient doors and windows are not available;
29. Install high efficiency or gas space heating;
30. Replace diesel fleet vehicles with cleaner fueled low emission vehicles (i.e., school buses, transit buses, on- and off- road heavy duty vehicles, lighter duty trucks and passenger vehicles);
31. Retrofit existing equipment to reduce emissions using methods such as particulate filters, oxidation catalysts, or other approved technologies.

Prior to commencement of construction activities, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

17. "Naturally-occurring asbestos" has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to issuance of construction permit**, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos, or provide previous report showing no naturally-occurring asbestos is present. If naturally-occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. Should such plans be required, they shall address subsequent grading impacts needed to complete project. For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to <http://www.slocleanair.org/business/asbestos.asp>.
18. Proposed demolition activities can result in potentially negative air quality impacts, especially where material exists containing asbestos material. **Prior to issuance of construction permit** to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.
19. **Prior to issuance of construction permit**, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc.
20. **Applications for construction permits** for the resort units shall demonstrate how passive solar design, with solar hot water heating, or other cost effective energy conservation measures will be incorporated into the design. Components of passive solar design may include, but are not limited to: orientation of the units so that the windows face to the south; encourage use of solar, or solar-assisted water heaters in units; use of building materials designed to absorb heat from the sun in the winter, and release the heat at night in order to heat the residences. It is recommended that the goal of these design

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standards be to reduce energy use by a minimum twenty percent for the overall development and offset long-term mobile and area source operational emissions of the development. Approved measures shall be verified **prior to final inspection**.

21. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled wood heaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans.
22. Only electric golf carts or carts that do not use fossil fuels shall be used or provided by the golf course concession, resort or property owner's association. It is recognized that privately owned carts will not fall under this restriction.
23. **Prior to final inspection of resort units**, an aggressive tree planting and final landscape plan using species endemic to the area shall be planted as a part of the proposed development and shall be developed in coordination with the APCD and the County Department of Planning and Building. Deciduous trees shall be planted on southern exposures to help moderate interior temperatures and reduce energy use.

Biological Resources

24. **At the time of application for construction permits**, construction plans shall show all disturbed areas shall be seeded with a non invasive grass (or approved permanent landscaping) to stabilize the soil immediately after grading is completed to avoid potential erosion problems or adverse biological impacts associated with Drainage Area A. The seed mixture shall be approved by the Environmental Coordinator or their designee.
25. All drainage from all parking areas and roadways shall be directed to infiltration basins designed as retention areas. **Prior to issuance of construction permit**, this shall be shown on all applicable plans. Drainage design shall be verified **prior to final inspection**.
26. Dogs and cats shall not be allowed in the Sensitive Resource Area. To the maximum extent practicable, pets shall be contained within the resort boundaries of the project. The applicant, and successors in interest, shall provide notices within each of the units of the presence of the SRA and potential for sensitive wildlife that can be adversely impacted from the presence of cats and dogs. This notice shall also be included in the Conditions, Covenants & Restrictions for the resort development guidelines restricting pets within the sensitive resource area (SRA). The CC&Rs shall also include materials to educate property owners regarding the sensitivity of the slough. CC&R's shall be reviewed by the county **prior to final inspection**.

Cultural Resources

27. **Prior to commencement of construction work**, the applicant shall notify construction workers of the following:

In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

1. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
2. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the

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County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Fire Protection

28. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those preliminarily outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated June 15, 2004.
29. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements **prior to final inspection**.
30. For each use, a commercial water system shall be required with fire flows meeting the standards of CFC 903 and Appendix III A. Pressures may not be less than 20 psi or more than 150 psi. Plans shall be submitted to CDF for their approval **prior to county approval of construction permits**.
31. Designate a fire lane within all the driveway areas. This lane to be a minimum width of twenty (20) feet.
32. A 24-foot wide emergency access road shall be retained through the development to residential development to the south (Brant and Tattler Street intersection) that meets CDF requirements.

Housing (Affordable)

33. Should an Inclusionary Housing Ordinance be established, and associated "fair share" fee, be established prior to **issuance of building permit for the resort or restaurant**, the applicant agrees to pay the applicable fee to help offset impacts associated with providing for the housing needs of the employees.

Noise

34. Construction hours of operation shall be 7 am to 7 pm for weekdays, 8 am to 5 pm on Saturdays, and no non-emergency work on Sundays or Holidays. **At the time of application for construction permit**, this information shall be shown on all applicable plans.
35. **At the time of application for construction permits**, staging areas and contractor yards shall be shown on applicable construction plans as far from residential areas as possible.
36. **Prior to construction work commencing**, "critical" grade noise mufflers shall be installed and maintained for all construction equipment/vehicles generating noise of 60 dB or more at 25 feet.
37. All permanent equipment generating loud noises (e.g., roof-top air conditioners, etc.) shall be located or attenuated in a manner to not exceed 50 decibels (45 decibels between 10 pm and 7 am) when operating at full capacity as measured from the Residential Suburban land use category boundary line. Such equipment shall be identified on all applicable **construction plans initially submitted** and evaluated for compliance by a county-approved noise expert **prior to final inspection**.
38. The following applies to any outdoor special event: a) loudspeaker systems or other loud noise-generating activity shall not be allowed that exceeds 60 db at any residential property line (and shall be tested prior to event); b) events shall be between the hours of 8 am and 7 pm Monday through Saturday and 8 am and 5 pm on Sunday).

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Solid Waste Management

39. **Prior to issuance of construction permit**, plans shall show that all applicable resort-/restaurant-generated greenwaste will be integrated into previous tract-required compost management program.
40. **Prior to issuance of construction permit**, plans shall show location of all recycling areas for resort and restaurant that conform to the local waste hauler's requirements for recycling bins.
41. Recyclable or reuseable materials shall be used whenever possible for all activities relating to meeting rooms and special events. Recycling containers shall be made available for all such activities.
42. **Prior to issuance of construction permit**, plans shall show how at least 50% of construction wastes will be recycled.
43. A method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Wastewater Disposal

44. Provide evidence from a Registered Civil Engineer that the existing community sewage system has adequate capacity to serve the proposed development and will be operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. An amendment to the waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final tract map.

Water

45. **Prior to approval of construction plans**, drainage improvement design, including the following measures, shall be considered to maximize potential groundwater basin recharge:
 - a. Drainage from impervious surfaces (e.g. roads, driveways, buildings) shall be directed to a common drainage basin;
 - b. The project shall design as few basins as possible for the entire development;
 - c. Where feasible, mass grading and contouring shall be done in a way to direct surface runoff towards the above-referenced basins (and/or closed depressions).
46. **Prior to issuance of the construction permit for resort development**, plans shall reflect the use of all salt-recharging water softeners shall be prohibited within the proposed development, except for units that are recharged off-site, and the brine from there is disposed of at a location approved by the Regional Water Quality Control Board.
47. **Prior to issuance of construction permit**, a final landscape plan shall be submitted that shows how landscaping will have low-water requirements and meet the County's Landscape Standards (LUO Chapter. 22.16). As applicable, at a minimum the following shall be used: (1) all common area and resort irrigation shall employ low water use techniques (e.g., drip irrigation); (2) all landscaping shall be drought-tolerant and have low water requirements (e.g., use of native vegetation, etc.); 3) hydrozones shall be identified with the same plant irrigation lines/emitters being connected with similar hydrozone plants; and 4) no more than 20% of all common area landscaping shall be turf. Where turf is used, moisture sensor devices or other similar water efficiency devices shall be installed,

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and maintained in good working order, to control the amount of water applied. Where possible, warm-season grasses shall be used.

48. **Prior to recordation of the final map, as a part of a second map sheet**, all new water fixtures installed (including showers, faucets, etc.) that are not already specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water-using appliances (e.g., dishwashers, clothes washers, etc.) shall be ENERGY STAR-rated for high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**, and installation verified **prior to final inspection**.
49. **Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 1/2" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans and installed prior to final inspection.
50. **Prior to issuance of construction permit** for the resort/restaurant, the applicant shall develop a water conservation education program for employees and resort occupants, as well as restaurant-related activities. Such a program shall focus on reducing domestic/interior water usage. Program shall be submitted to the County for review and approval.
51. **Prior to construction permit issuance**, a master "Drought Water Management Program" shall be prepared by the applicant and submitted to the county for approval. The master "Drought Water Management Plan" shall provide guidelines on how all future uses will be managed during "severe" drought, including all landscaping. These measures would go into effect during periods of "severe" drought. This plan shall include, but is not necessarily limited to:
 - a. The definition of a "severe" drought year (as defined by NOAA's Palmer Drought Severity method or other similarly recognized methodology);
 - b. Identification of general measures to be used to reduce domestic water usage for each approved use;
 - c. Identification of specific measures to be applied for landscape watering;
 - d. Establishment of appropriate early triggers to determine when "severe" drought conditions exist and how drought water conservation measures for tract and future development will be implemented;
 - e. Establishment of process to determine when drought conditions/requirements no longer apply.
52. **Prior to issuance of the construction permit for resort development**, or at such time that a program is developed by the water supplier, whichever comes first, the applicant shall agree to participate in a toilet retrofit program that would replace existing non low flow toilets in the water company service area at a 1: 1 basis with new residential development. If such a program is not available at the time of permit issuance, an alternative water conservation measure with comparable savings a water savings equivalent to the project impact of 0.43 afy may be substituted, as reviewed and approved by the Department of Planning and Building.
53. **At the time of application for construction permits**, the applicant shall provide a letter from Rural Water Company stating they are willing and able to service the property.

Environmental Monitor

54. **Prior to issuance of construction permits**, the applicant shall provide funding for an environmental monitor for all measures requiring environmental mitigation to ensure

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compliance with proposed County Conditions of Approval and mitigated Negative Declaration measures relating to establishing the proposed uses. The applicant shall obtain from a county-approved monitor a cost estimate, based on a county-approved work scope. The environmental monitor shall be under contract to the County of San Luis Obispo. Costs of the monitor, and any county administrative fees, shall be paid for by the applicant.

Miscellaneous

55. To minimize potential golf ball safety hazards from Hole #14 to lodging guests, proposed lodge units A through H shall be designed to minimize impacts, including but not necessarily limited to: minimize the amount of glazing with direct line-of-sight views of hole #14; all glazing with a line-of-site view of hole 14 shall be with safety glass (or material that will not shatter when struck by golf ball), all outdoor use areas (i.e., patios/balconies) shall be oriented away from direct line-of-sight impacts from hole 14 and covered with material strong enough to withstand hard driven golf balls. Design plans shall be submitted for county review **prior construction permit approval**.
56. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.
57. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
58. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
59. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.
60. **Prior to issuance of any construction permit establishing an approved use**, the applicant shall provide evidence to the county where the Regional Water Quality Control Board is satisfied that the existing wastewater system is operating in compliance with its Waste Discharge/ Water Reclamation Requirements, Order No. 97-66, and that the existing system can adequately accommodate the additional effluent generated by the proposed development.
61. That prior to construction (or occupancy) of the 81 additional lodging units and/or 200-seat restaurant, the applicant enter into an agreement acceptable to the County, and the City of Arroyo Grande to participate in the preparation of a "Project Approval and Environmental Document", and **proportional project commitment for implementation**, regarding the El Campo/101 interchange and phased improvement of El Campo Road from 101 to Halcyon Road.

Staff report prepared by John McKenzie
and reviewed by Kami Griffin

STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

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13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.